

TOWN CLERK'S RECORD

December 9, 2013 7:30 Special Town Meeting

December 10, 2013

In pursuance of a Warrant dated October 1, 2013 the duly elected Town Meeting Members proceeded as follows:

The Moderator, Margaret Metzger, called the Special Town Meeting to order at 7:30 P.M. The Moderator declared a quorum present.

The Town Clerk, Kathleen F. Nagle, read the Officer's Return of the Service of the Warrant.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 213 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the auditorium, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Tellers, Roberta Francis and Amie Smith, assisted by Todd Himstead, Andrew Wrobel, Arthur Priver, Kathleen Woodward, Amy Axelrod and Nancy Galligan.

The Moderator expressed appreciation to the attendance checkers for the Annual Town Meeting: Ralph Bailey, Phil Rolph and Jim Corscadden and Joseph Hanlon.

Refreshments at the break are to be provided by the Wellesley High Sophomore Class and the Wellesley High School Key club for this Special Town Meeting.

The Moderator explained the rules and regulations of the Town Meeting and the power and duties of the Moderator in connection with the conduct of the meeting.

The Moderator explained the schedule and the procedures to be followed for the Special Town Meeting within this town meeting called for 8:00 pm tonight.

The Moderator informed the meeting that unless objections were raised, the meeting would dispense with the reading of the Warrant. No objections were raised and the meeting proceeded.

ARTICLE 1. To choose a Moderator to preside over said meeting and to receive reports of town officers, boards and committees, and discharge presently authorized special committees; or take any other action relative thereto.

The following reports were submitted for filing: Advisory Committee Reports STM 7:30 and STM 8:00, Report of the Board of Selectmen on Retail sale of Beer and Wine, Board of Selectmen Ten Year School Facilities Capital Plan, Fuller Brook Park Coordinating Committee, Planning Board (Revised), School Facilities Committee and School Committee.

The Moderator recognized Thomas De Riemer, Precinct G, who offered a Resolution in honor of John Woodacre upon his passing.

WHEREAS: We remember John E. Woodacre of Wellesley and Mattapoisett who died on April 20, 2013. He was born in New Bedford to John and Doris (Spoonier) Woodacre, grandson of a New Bedford whaler and a direct descendent of Mayflower Pilgrim William White and the Delanos of Fairhaven. He grew up in Newton and Nantucket and while in high school played baseball and studied classical piano at the Newton School of Music, and

WHEREAS: At the time of his death, Jack had been an active Town Meeting Member for eleven years and for many years served the Town as a respected election official and Warden in Precincts E and G, and trained many poll workers for the Town. For fifteen years he was an active Wellesley Rotarian, serving on many committees and flipping pancakes at the annual pancake breakfasts, and

WHEREAS: He moved to 100 Brook Street in the post WWII era where he enjoyed the unique social cluster of families who met at the Maugus Club for competitive badminton, squash, bowling and theater productions. He served on the Board of Directors of the Maugus Club, held membership in the Wellesley Club, the RJD Home of New Bedford and the board of the Wellesley Community Center. Former Maugus member Walter Greeley stated: "Jack was a landmark in

Wellesley.” He was very much “Wellesley” and did things the “Wellesley Way” as it used to be said, and

WHEREAS: As a young man he enlisted in the Marines, serving in Guadalcanal, the Philippines, Green Islands, the Samoas, New Zealand and other places, and liberated American prisoners of war from Japan. He trained as a marine gunner. Pappy Boyington flew cover for his squadron and while in the Pacific, Jack, having survived a plane crash, was reported missing in action three times. He was always Semper Paratus. He later attended Northeastern University on the GI Bill, majoring in physics and engineering, and in 1966, he founded John E. Woodacre Oil in Wellesley where he successfully ran the business for many years, and

WHEREAS: He had a brief marriage to the late Barbara Woodruff and they had a son, John Morgan Woodacre. He thereafter married the late Betsy Breed, a Dean College professor and they adopted and raised two children in Wellesley. In 1994, John married Wellesley attorney Lorri Seibert. Jack had Yankee ingenuity, keen intelligence, and was an avid bridge player and boater throughout his life. Many will miss his handsome strong carriage, shiny white hair and striking blue eyes. He is survived by his wife, five children and nine grandchildren.

NOW THEREFORE BE IT RESOLVED, that this SPECIAL TOWN MEETING, on behalf of the residents and municipal employees of the Town of Wellesley, expresses its deep regret at the passing of John E Woodacre and publicly acknowledges its appreciation for his dedicated service and significant contributions to the citizens of our Town, and further, that the Town Clerk be instructed to record this Resolution in the minutes of this Meeting, and to transmit copies to Mr. Woodacre's family.

The Moderator then recognized Mary Ann Cluggish, Precinct G, who offered a resolution in honor of Robert Bastille upon his passing:

WHEREAS: On August 28, 2013, the Town of Wellesley was saddened by the death of our esteemed fellow citizen, Robert Adams Bastille who for many years made numerous and impressive contributions to the Town of Wellesley and its residents. With his passing, Wellesley lost a dedicated citizen, a good neighbor and faithful friend. He was 91 years old.

WHEREAS: Bob served as a Wellesley Town Meeting Member for 26 years. He served on the Town Improvements Coordinating Committee, the Committee to study the Needs and Requirements of the Wellesley Free Library and was instrumental in library improvements. Bob served on the Board of Library Trustees for 11 years. He also served on the Advisory Committee and the Zoning Board of Appeals. Wellesley values the civic engagement of its residents for which Bob Bastille set a high standard.

WHEREAS: Bob attended the Fenn School in Concord, Phillips Exeter Academy, and continued his studies at Harvard College. He joined the Army in 1943 and served with the 320th Combat Engineers in Europe and was awarded a Bronze Star for meritorious service. After the war, Bob earned a Bachelor and then a Masters in Architecture from the Harvard Graduate School of Design. Bob founded Bastille/Neiley Architects and designed a number of public and private buildings in the Boston area. He was also active in the Boston Society of Architects.

WHEREAS: Bob was a member of the Wellesley Club, an avid sports fan and an enthusiastic supporter of the Boston Symphony Orchestra. He loved traveling, he loved the sea, he loved birds and birdwatching. When you met him you were immediately impressed with his keen intellect, his charm, his wit, and his great smile. When you participated in a meeting with him his knowledge and helpfulness were invaluable.

WHEREAS: On behalf of the Citizens of Wellesley, this Resolution is being presented as an opportunity to express the esteem in which we hold him as a faithful and devoted citizen.

NOW THEREFORE BE IT RESOLVED, that this SPECIAL TOWN MEETING, on behalf of the residents and municipal employees of the Town of Wellesley, expresses its deep regret at the passing of Robert Adams Bastille and publicly acknowledges its appreciation for his dedicated service and significant contributions to the citizens of our Town, and further, that the Town Clerk be instructed to record this Resolution in the minutes of this Meeting, and to transmit copies to Mr. Bastille's family.

The Moderator requested the Town Meeting stand and offer a moment of silence to honor Mr. Woodacre and Mr. Bastille.

The Town Clerk transmitted copies of the resolutions to family members who were present.

The Moderator recognized Terri Tsagaris, Board of Selectmen, Precinct D, who offered a statement of appreciation in honor of Katherine L Babson, Precinct E, Chair of the Board of Selectmen who has given notice of her intention to retire from the Board of Selectmen at the conclusion of her term in March 2014.

The Town Meeting rose in appreciation of Ms. Babson and offered a round of applause.

ARTICLE 2. To see if the Town will vote to amend Town Bylaw ARTICLE 31..
Classification and Salary Plans, by making changes in Schedule B entitled "Salary Plan – Pay
Schedule" established under Section 31.6 which constitutes part of said Bylaws; to raise and
appropriate, or otherwise provide, money therefor; or take any other action relative thereto.

Terri Tsagaris, Precinct D, Board of Selectmen reported to the Town Meeting on the
current balance of Free Cash and reserves and projected uses of Free Cash anticipated at this
Special Town Meeting.

Motion 1. Terri Tsagaris, Precinct D, Board of Selectmen, offered the following motion. Hans
Larsen, Executive Director of General Government Services spoke in support of the motion.

VOTED, unanimously, that the Salary Plan as established at the 1950 Annual Town Meeting as
amended, be further amended by inserting the new Pay Schedule for the Wellesley Police
Patrolmen's Association as follows:

P10 Police Officer - Weekly rates of pay

	Step 1	Step 2	Step 3	Step 4
Effective July 1, 2013	927.17	981.64	1,036.35	1,090.97
Effective January 1, 2014	931.81	986.55	1,041.53	1,096.42
Effective July 1, 2014	950.45	1,006.28	1,062.36	1,118.35
Effective July 1, 2015	969.46	1,026.41	1,083.61	1,140.72

and further,

that the sum of \$68,632 be appropriated and added to the amounts appropriated under Motion 2
of Article 8 of the Warrant for the 2013 Annual Town Meeting to the Board of Selectmen for
Public Safety; said sum to be raised by a transfer from Free Cash and allocated as follows:

210	Police	
	210-01 Personal Services	\$65,432
	201-02 Expenses	3,200

At 8:00 pm the moderator paused the proceedings of Special Town Meeting #1 (7:30) and
recognized Katherine L Babson, Precinct E, Chair, Board of Selectmen, who offered the
following motion to adjourn.

VOTED, unanimously, that this Special Town Meeting 7:30pm (STM #1) adjourn and
reconvene STM #1 this evening immediately after STM #2 (8:00pm) is adjourned.

Special Town Meeting #2 December 9, 2013 8:00 pm

In pursuance of a Warrant dated November 21, 2013 the duly elected Town Meeting Members proceeded as follows:

The Moderator, Margaret Metzger, called the Special Town Meeting #2 (8:00pm) to order at 8:00 P.M. The Moderator declared a quorum present.

The Town Clerk, Kathleen F. Nagle, read the Officer's Return of the Service of the Warrant.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The Moderator declared a quorum present.

ARTICLE 1. To choose a Moderator to preside over said meeting and to receive reports of town officers, boards and committees, and discharge presently authorized special committees; or take any other action relative thereto.

The Reports for Special Town Meeting #2 were earlier filed with the Town Clerk under Article 1 STM #1.

There was no further action under Article 1.

At 8:05 pm the Moderator paused the proceedings of Special Town Meeting #2 (8:00) and recognized Katherine L Babson, Precinct E, Board of Selectmen who offered the following motion to adjourn.

VOTED, unanimously, to adjourn STM #2 and reconvene STM #2 at 7:00 pm on Tuesday December 10, 2013.

The Moderator then reopened Special town Meeting #1 at 8:06pm.

ARTICLE 3. To see what sums of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, or borrowing, to supplement or reduce appropriations previously approved by the 2013 Annual Town Meeting; or take any other action relative thereto.

Motion 1. Terri Tsagaris, Precinct D, Board of Selectmen offered the following motion. Matt King, Chair of the Permanent building Committee spoke in support of the motion which was

VOTED, unanimously, to increase the 2014 omnibus budget, as voted under Motion 2 of Article 8 of the Warrant for the 2013 Annual Town Meeting, by appropriating the sum of \$32,527 as follows:

\$12,527 to PBC salaries (account: 01185100-511370) and
\$20,000 to Group Insurance (account: 21091400-489010);
that to meet said appropriation, transfer the sum of \$32,527 from Free Cash.

Motion 2. Terri Tsagaris, Precinct D, Board of Selectmen offered the following motion, which was

VOTED, unanimously, to transfer the sum of \$6,850 from Council on Aging expenses (1541200-533090) as voted under Motion 2, Article 8 of the Warrant for the 2013 Annual Town Meeting, to Council on Aging personal services (01541100-512290).

Motion 3. Terri Tsagaris, Precinct D, Board of Selectmen offered the following motion, which was

VOTED, Unanimously, to transfer the sum of \$6,180 as voted under Article 8, Motion 2 of the 2013 Annual Town Meeting, from Facilities Maintenance expenses to School expenses as follows:

From:				To:			
01192210	529050	\$	366	13420139	538090	\$	366
01192211	529050		366	13420139	538090		366
01192212	529050		366	13420139	538090		366
01192213	529050		366	13420139	538090		366
01192214	529050		366	13420139	538090		366
01192215	529050		366	13420139	538090		366
01192216	529050		366	13420139	538090		366
01192217	529050		366	13420139	538090		366
01192221	529050		1,626	13420139	538090		1,626
01192231	529050		1,626	13420139	538090		1,626
			\$ 6,180				\$ 6,180

Motion 4. Elizabeth Sullivan Woods, Library Trustee offered the following motion, which was,

VOTED, unanimously, To increase the 2014 omnibus budget, as voted under Motion 2 of Article 8 of the Warrant for the 2013 Annual Town Meeting, by appropriating the sum of \$3,000 as follows:

\$3,000 to Wellesley Free Library Expenses (account: 01610400-583130);
that to meet said appropriation, transfer the sum of \$3,000 from Free Cash.

ARTICLE 4. To see what sum of money the Town will raise and appropriate, or otherwise provide, in addition to the amount appropriated under Article 8 of the Warrant for the November 14, 2011 Special Town Meeting, to implement Phase 3 (Final Design) of the Fuller Brook Park Preservation Master Plan; to determine whether such sum shall be raised by taxation,

through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Rosemary Donahue, Precinct E, Chair Fuller Brook Park Coordinating Committee offered the following motion. Allan Port, Precinct G, Chair of the Community Preservation Committee spoke in support of the funding for this motion.

VOTED, unanimously, that \$35,000 be appropriated to the Fuller Brook Park Coordinating Committee, in addition to the amount appropriated under motion 1 of Article 8 of the Warrant for the 2011 Special Town Meeting, for the Final Design (Phase 3, so called) of the Fuller Brook Park Preservation Master Plan, said appropriation to be funded entirely from balances on hand in the Community Preservation Fund Historic Resources Reserve.

ARTICLE 5. To see if the Town will vote pursuant to Chapter 40, Section 5B to create a special purpose municipal stabilization fund, establishing a reserve for unanticipated future claims for personal injury and medical and other expenses incurred by on-duty members of the Police and Fire Departments; to raise and appropriate, or otherwise provide, including transfer from available funds, a sum of money for the purpose; or take any other action relative thereto.

Katherine L Babson Jr., Precinct E, Board of Selectmen, offered the following motion which was

VOTED, unanimously, 2/3 required, to establish a Special Purpose Municipal Stabilization fund as authorized under M.G.L. Chapter 40, Section 5B, to provide a reserve against the insurance deductible on the Police and Fire injured on duty policy; to appropriate the sum of \$250,000 to said fund; that to meet said appropriation, the sum of \$250,000 shall be transferred from Free Cash.

The Moderator paused the Special Town Meeting for a break at 8:53pm. The Meeting resumed at 9:10 pm.

Katherine L Babson, Jr., Precinct E, Board of Selectmen, offered the following motion

VOTED, unanimously, that when this Special Town Meeting (7:30) #1 adjourns it will reconvene on Tuesday, December 10, 2013 at the conclusion of the Special Town Meeting (8:00) #2.

ARTICLE 6. To see what action the Town will take on the authorized and unissued loans including those identified in the list of same on file in the offices of the Board of Selectmen and Town Clerk; to rescind authorization to borrow, and to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations previously authorized; or take any other action relative thereto.

Motion 1 Ellen Gibbs, Precinct A, Board of Selectmen offered the following motion which was

VOTED, by declared voice vote, To rescind \$300,000 in unused borrowing authorization approved as follows:

<u>Authorized</u>	<u>Article</u>	<u>Authorized</u>	<u>Purpose</u>
\$1,600,000	25	ATM 2012	Water: Morse Pond wells

To rescind \$264,000 in unused borrowing authorization approved as follows:

<u>Authorized</u>	<u>Article</u>	<u>Authorized</u>	<u>Purpose</u>
\$855,000	17	ATM 2012	Ladder Truck

And To rescind \$40,000 in unused borrowing authorization approved as follows:

<u>Authorized</u>	<u>Article</u>	<u>Authorized</u>	<u>Purpose</u>
\$425,000	23	ATM 2011	Town Hall HVAC

such amounts being no longer needed to complete the projects for which they were initially authorized and which sums were never borrowed.

Motion 2. Ellen Gibbs, Precinct A, Board of Selectmen offered the following motion which was

VOTED, unanimously, that the Town appropriate \$232,000 from the premium paid to the Town upon the sale of the bonds issued for the DPW Administration Building, appropriate \$55,000 from the premium paid to the Town upon the sale of the bonds issued for Morse's Pond Management, and appropriate \$23,000 from the premium paid to the Town upon the sale of the bonds for Stormwater drainage, which are subjects of Proposition 2 ½ debt exclusions, to pay costs of each project being financed by such bonds and to reduce the amounts authorized to be borrowed for such projects, but not yet issued by the Town, by the same amounts.

The Moderator announced that Article 7 would be taken up at the conclusion of the Special Town Meeting #2.

ARTICLE 8. To see if the Town will vote to create a new position to be called the Building Operations Liaison in the Facilities Maintenance Department, whose responsibilities will be to serve as a liaison with the Permanent Building Committee, among other responsibilities; to raise and appropriate or otherwise provide a sum of money therefor; or take any other action relative thereto.

Barbara Searle, Precinct A, Board of Selectmen, offered the following motion which was

VOTED, by declared voice vote, to increase the 2014 omnibus budget, as voted under Motion 2 of Article 8 of the Warrant for the 2013 Annual Town Meeting, by appropriating the sum of \$62,000 as follows:

\$42,000 to FMD salaries (account: 01192100-511220) and

\$20,000 to Group Insurance (account: 21091400-489010);

that to meet said appropriation, the sum of \$62,000 shall be transferred from Free Cash.

ARTICLE 9. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing said Board, as the local licensing authority, to grant licenses for the sale of wine and malt beverages not to be drunk on the premises by food stores and specialty food stores; said legislation to include a definition of stores eligible for such licenses, to set the maximum number of licenses, to provide for voter approval and to include such other conditions as said Board may deem prudent; said Board being hereby authorized to determine in its sole discretion the form of petition to be filed, and once it is filed, to decide on any subsequent revisions or modifications as said Board may deem best in its opinion to achieve the Town's licensing authority under such circumstances and subject to such conditions as said Board determines; or take any other action relative thereto.

Donald McCauley, Precinct A, Board of Selectmen, offered the following motion which was

VOTED, by declared voice vote, That the Town hereby authorizes the Board of Selectmen to petition the General Court for special Home Rule Legislation authorizing said Board, as the local licensing authority, notwithstanding any general or special law to the contrary, upon voter approval, to grant 6 licenses for the sale of wines and malt beverages not to be drunk on the premises under Section 15 of Chapter 138 of the General Laws by food stores and specialty food stores, of which 3 licenses shall be assigned to food stores, and the remaining 3 licenses shall be assigned to specialty food stores.

ARTICLE 10. To see if the Town will vote to complete the following, as required in order to consummate the Town's acquisition of the most westerly portion of the Cochituate Aqueduct as authorized by C. 267 of the Acts of 2002 and C. 73 of the Acts of 2013 and as authorized by vote of Town Meeting under Article 22 of the Warrant for the 2013 Annual Town Meeting:

a) To authorize the Board of Selectmen to accept the deed from the Division of Capital Asset Management and Maintenance (DCAM) or other appropriate agency to the Town of said land, described in said C. 267 of the Acts of 2002, containing 5.59 acres; and to deed out from said parcel to Bike Realty LLC the following described parcel, containing approximately 11,000 sq ft \pm of land, in consideration of its payment to the Commonwealth of \$223,500, said sum having been determined by independent appraisal to constitute the full market value of the entire parcel being deeded to the town. Said 11,000 sq. ft \pm parcel being shown on a Plan entitled "0 Overbrook Drive – Site Plan of Land in Wellesley, Mass Prepared for the Comm. Of Massachusetts" by David E. Ross Associates, Inc., dated May 2013. Said remaining land to be

held under the jurisdiction of the Board of Selectmen for municipal purposes as c. 267 provides, including as open space;

b) To amend the Zoning Map by either rezoning the 11,000 sq ft \pm parcel of land referenced above from Single Residence to Single Residence A or by extending the Business District at 951 Worcester Street over said parcel;

c) To transfer jurisdiction to the Natural Resources Commission, to be held as parkland as it has agreed to do, the following 3 parcels of land, acquired by the Town pursuant to the authority voted under Article 25 of the Warrant for the 2013 Annual Town Meeting and currently held under the jurisdiction of the Board of Selectmen as general assets of the Town;

said 3 parcels being described as follows:

i) A certain parcel of land shown as Lot 2 on a plan entitled "Subdivision Plan of Land, 17 Seaver Street, Wellesley Ma. and Parcels to be Conveyed to the Town of Wellesley" by David J. Hickey, Jr., P.E., Town Engineer, Town of Wellesley, Department of Public Works, April 19, 2012, and recorded with the Norfolk County Registry of Deeds in Plan Book 616, Page 29 and further bounded and described as follows:

SOUTHEASTERLY by remaining land of the Grantor, one hundred thirty three and 58/100 (133.58) feet,
SOUTHEASTERLY by land of Philip G. Kenny, two (2.00) feet,
SOUTHWESTERLY by Parcel A as shown on said plan, eighty four and 21/100 (84.21) feet,
WESTERLY by land of the Town of Wellesley, ninety seven and 33/100 (97.33) feet,
NORTHWESTERLY by land of the Town of Wellesley, nineteen and 10/100 (19.10) feet and seventeen and 59/100 (17.59) feet,
NORTHEASTERLY by Parcel C as shown on said plan, ninety three and 57/100 (93.57) feet,

Containing about 12,652 square feet according to said plan, and currently known and numbered as 17R Seaver Street.

ii) A certain parcel of land shown as Parcel C on a plan entitled "Subdivision Plan of Land, 17 Seaver Street, Wellesley Ma. and Parcels to be Conveyed to the Town of Wellesley" by David J. Hickey, Jr., P.E., Town Engineer, Town of Wellesley, Department of Public Works, April 19, 2012, and recorded with the Norfolk County Registry of Deeds in Plan Book 616, Page 29 and further bounded and described as follows:

NORTHWESTERLY by land of the Town of Wellesley, one hundred twenty nine and 93/100 (129.93) feet,

NORTHEASTERLY by land of the Town of Wellesley, forty and 42/100 (40.42) feet,

SOUTHEASTERLY by land of Kurt F. Somerville and Kandra M. Chencus, (also known as Kendra M. Chencus), one hundred ten (110.00) feet,

SOUTHWESTERLY by Lot 2 as shown on said plan, ninety three and 57/100 (93.57) feet,

Containing about 7,163 square feet according to said plan, and currently known and numbered as 11R Seaver Street.

iii) A certain parcel of land shown as Parcel A on a plan entitled “Subdivision Plan of Land, 17 Seaver Street, Wellesley Ma. and Parcels to be Conveyed to the Town of Wellesley” by David J. Hickey, Jr., P.E., Town Engineer, Town of Wellesley, Department of Public Works, April 19, 2012, and recorded with the Norfolk County Registry of Deeds in Plan Book 616, Page 29 and further bounded and described as follows:

SOUTHWESTERLY by land of the Town of Wellesley, forty seven and 28/100 (47.28) feet, NORTHWESTERLY by land of the Town of Wellesley, one hundred sixty six and 66/100 (166.66) feet,

NORTHEASTERLY by Lot 2 as shown on said plan, eighty four and 21/100 (84.21) feet,

SOUTHEASTERLY by land of Philip G. Kenny, one hundred twenty five and 09/100 (125.09) feet,

SOUTHEASTERLY by land of the Town of Wellesley, thirty nine and 16/100 (39.16) feet,

Containing about 10,852 square feet according to said plan, and currently known and numbered as 21R Seaver Street.

d) To raise and appropriate, or otherwise provide a sum of money for the foregoing, and to authorize the Board of Selectmen to undertake any and all other action which it shall deem prudent, necessary and expedient to complete the multi-phased transaction described above;

or take any other action relative thereto.

MOTION 1. Katherine L Babson, Jr., Precinct E, Chair of the Board of Selectmen, offered the following motion which was

VOTED, by declared voice vote, 2/3 required, To acquire by purchase, eminent domain or otherwise a certain parcel of land currently owned by the Commonwealth comprising approximately 5.59 acres which are a portion of the Cochituate Aqueduct, beginning at the Wellesley-Natick corporate boundary, being also the Norfolk-Middlesex County line, and ending at station 157+75, approximately 25 feet south of Dedman’s Brook waste weir, said parcel of

land being the only portion of said Aqueduct not already owned by the Town, as authorized and further described in Section 1 of c. 267 of The Acts of 2002; the consideration thereof to be the payment to the Commonwealth of the fair market value of the same as determined by appraisal to be approved by the Commonwealth, to be paid on the Town's behalf by Bike Realty LLC.

Said parcel of land being a portion of land shown on a plan entitled "Commonwealth of Massachusetts Metropolitan Water Works, Cochituate Aqueduct, Land Plans", prepared by Desmond Fitzgerald, Engineer, dated December 31, 1897, and recorded with the Norfolk registry of Deeds in Plan Book 20, Plan 923M (formerly Plan 923G Sheet 1 of 2). Pursuant to section 2 of c. 73 of the Acts of 2013, and as shown on said plan, conveyance to the Town shall be exclusive of the portion of the aqueduct which is within the limits of Worcester Turnpike, United States Highway Route 9, title to which shall remain with the Commonwealth.

Said land to be held under the jurisdiction of the Board of Selectmen for general municipal purposes, including, but not limited to the same, for Municipal Light Plant utilities, drainage, highway, recreation or storm drain purposes, and open space; provided the portion of said land containing 11,000 sq. ft. described below shall be held by the Board of Selectmen for the purpose of conveying the same to Bike Realty LLC as consideration for the payment to the Commonwealth of the sum of money above described, as authorized by section 1 of c. 73 of the Acts of 2013.

Said land being shown as parcel "A" on a plan entitled "Plan of Land in Wellesley, Mass. Owned by Commonwealth of Massachusetts" by David E. Ross Associates, Inc. P.O. Box 368-111 Fitchburg Road, Ayer, MA 01432, dated November, 2013, to be recorded with the Norfolk Registry of Deeds.

MOTION 2. Katherine L Babson, Jr., Precinct E, Chair of the Board of Selectmen, offered the following motion which was

VOTED, by declared voice vote, 2/3 required, To authorize the Board of Selectmen to convey by deed to Bike Realty LLC a certain parcel of land within the Aqueduct land referenced in Motion 1 comprising 11,000 sq. ft., as authorized and further described in Section 1 of c. 73 of the Acts of 2013; the consideration thereof to be the payment to the Commonwealth of the full consideration of the Town's acquisition pursuant to Motion 1.

Said land being shown as parcel "A" on a plan entitled "Plan of Land in Wellesley, Mass. Owned by Commonwealth of Massachusetts" by David E. Ross Associates, Inc. P.O. Box 368-111 Fitchburg Road, Ayer, MA 01432, dated November, 2013, to be recorded with the Norfolk Registry of Deeds.

The Town's deed shall include a provision that in accepting the Town's deed, the grantee, for itself, its successors, and assigns, covenants not to rely on the square footage being conveyed in the calculation of applicable FAR (Floor Area Ratio) to the abutting parcel owned by the grantee by deed recorded in said Deeds in Book 20591, page 15.

MOTION 3. Katherine L Babson, Jr., Precinct E, Chair of the Board of Selectmen, offered the following motion.

Ms. Babson introduced Michael Zentner as the new Planning Director for the Town of Wellesley.

The motion was **VOTED, by declared voice vote, 2/3 required**, that the Zoning Map be amended by establishing as a SINGLE RESIDENCE A DISTRICT land now included within the SINGLE RESIDENCE DISTRICT shown as Parcel “A” measuring 11,000 square feet, formerly of the Cochituate Aqueduct (Lot 1) and abutting # 951 Worcester Street (Assessor’s Parcel 200-33) shown on a plan entitled “Plan of Land in Wellesley, Mass. Owned by Commonwealth of Massachusetts” by David E. Ross Associates, Inc. P.O. Box 368-111 Fitchburg Road , Ayer, MA 01432, dated November, 2013, a copy of which is on file at the Office of the Town Clerk.

Provided, said amendment to the Zoning Map shall not be effective until certification by the Board of Selectmen, on the advice of Town Counsel, that the land transaction described in Motions 1 and 2 has been finalized and recorded.

MOTION 4. Katherine L Babson, Jr., Precinct E, Chair of the Board of Selectmen, offered the following motion which was

VOTED, unanimously, 2/3 required, that the Town vote pursuant to G.L. c. 40 §15A to transfer the care, custody, management and control of the three parcels of land totaling 30,667± square feet (hereafter “the 30,667± square foot parcel”) described below, currently held under the jurisdiction of the Board of Selectmen as general assets of the Town, to the Natural Resources Commission, to be held as parkland in perpetuity; said parcels being identified as follows:

The 30,667± square foot parcel to be transferred to the natural resources commission is shown as Parcel A, containing 10,852 square feet, Parcel C, containing 7,163 square feet, and Lot 2, containing 12,652 square feet, as shown on a plan entitled “Subdivision Plan of Land, 17 Seaver Street, Wellesley, MA and Parcels to be conveyed to the Town of Wellesley” by David J. Hickey, Jr., P.E., Town Engineer, Town of Wellesley, Department of Public Works, April 19, 2012, and recorded with the Norfolk County Registry of Deeds in plan book 616, page 29.

All as set forth in ¶(c) of Section 1 of c. 73 of the Acts of 2013.

Provided, said transfer of jurisdiction shall not be effective until certification by the Board of Selectmen, on the advice of Town Counsel, that the land transaction described in Motions 1 and 2 has been finalized and recorded.

ARTICLE 11. To see what sum of money the Town will raise and appropriate, or otherwise provide, for the cost of the following work at 900-910 Worcester Street, previously known and referred to as the Saint James The Great site: continuing due diligence investigation,

demolition of existing structures and other site work, performing all necessary remediation, investigation of potential recreational uses of the site including performing program studies associated with the anticipated uses of the site, creating a master site plan, preparing applications to permit construction of the anticipated uses of the site, performing studies including architectural, engineering and/or other services, and conducting any other activities associated with the above listed tasks; to determine whether such sum shall be raised by taxation, borrowing and/or by transfer from available funds including Community Preservation Funds; or take any other action relative thereto.

No motion offered.

ARTICLE 12. To authorize the Moderator to appoint a committee consisting of at least 3 and not more than 5 town residents to study the subject of electronic voting at town meetings and to make a report to the 2014 ATM including information about the use of electronic voting in other Massachusetts towns and its cost; and including a recommendation about whether the Wellesley Town Meeting should adopt electronic voting and, if so, the appropriate processes and procedures, including appropriate amendments to the Town Bylaws; and take any other action relative thereto.

No motion offered.

The Moderator noted the hour of 10:30pm and suggested an adjournment. The motion carried unanimously. The Meeting adjourned to December 10, 2013 to follow the conclusion of Special Town Meeting #2.

Attest:

Kathleen F Nagle
Town Clerk

CERTIFICATE OF NOTICE
OF ADJOURNED SPECIAL TOWN MEETING



December 10, 2013
Wellesley, MA

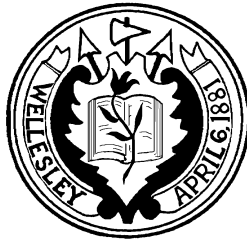
I hereby certify that notice that the Town Meeting would adjourn from December 9, 2013 to December 10, 2013 at a time uncertain, following the dissolution of Special Town Meeting #2 (8:00 pm) at the Wellesley High School was posted on the screen in the Hall during the recess of the meeting on December 9, 2013 and was voted unanimously by the Town Meeting. That said adjournment was announced by the Moderator at the close of the meeting of December 9, 2013 and a notice was posted on the town website (www.wellesley.ma.gov) and in the Town Hall at the office of the Town Clerk on December 10, 2013.

AND FURTHER, that the notice of adjournment for Special Town Meeting #2 (8:00 pm) to 7:00 pm December 10, 2013, was posted in the Town Hall and the Town Website on December 10, 2013.

AND FURTHER, said notices of adjournment were emailed to all Town Meeting Members who have provided email addresses to the town clerk (236).

Attest:

Kathleen F. Nagle
Town Clerk



TOWN CLERK'S RECORD

Special Town Meeting #2 December 9, 2013 8:00 pm

December 10, 2013

December 11, 2013

The second session of the December 9, 2013 Special Town Meeting #2 (8:00 pm), adjourned from December 9, 2013 was held this evening at the Wellesley High School Babson Auditorium, 50 Rice Street. The Moderator, Margaret Ann Metzger, called the meeting to order at 7:00 P.M. The Moderator declared a quorum present.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 194 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the auditorium, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Tellers, Roberta Francis and Amie Smith, assisted by Todd Himstead, Miguel Lessing, Nancy Galligan, Bob White, MaryJane Tuohy and Jim Conlin.

ARTICLE 2. To see what sum of money the Town will raise and appropriate, or otherwise provide, in addition to the amounts voted under Motion 3 of Article 20 of the Warrant for the 2009 Annual Town Meeting and Motion 1 of Article 18 of the Warrant for the 2013 Annual Town Meeting, for architectural, engineering and/or other services, for preparation of plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or design of the Tolles-Parsons Center

(senior center) to be located at 496 Washington Street (the former American Legion site) and for vehicular parking to be located on site or on other town controlled land or otherwise; to determine whether such sum shall be raised by taxation, through borrowing and/or transfer from available funds; or take any other action relative thereto.

Terri Tsagaris, Precinct D, Board of Selectmen, offered the following motion. Ms. Tsagaris explained the scope of the proposed project. Matt King, Chair of Permanent Building Committee, explained the elements of the funding requested.

Town Meeting engaged in extended debate.

The moderator called for a break at 8:55. The Meeting resumed at 9:11.

At 9:45 William Mone, Precinct E, rose to a point of order to question if a speaker's comments were outside the scope of the motion on the floor. The Moderator questioned the speaker as to the direction of her comments. The Moderator allowed the comments to continue. Mr. Mone took exception to the ruling. The Moderator noted the exception. The comment was allowed.

After additional debate and comment the Moderator called the question.

A voice vote was called in the affirmative. Seven members rose to question the call of the voice vote. A standing counted vote was conducted.

VOTED, by standing counted vote, 130 yes, 52 no, 3 abstain, that the sum of \$308,855 be appropriated to the Permanent Building Committee, in addition to the amounts appropriated under Motion 3 of Article 20 of the Warrant for the 2009 Annual Town Meeting and Motion 1 of Article 18 of the Warrant for the 2013 Annual Town Meeting, for architectural, engineering and/or other services, for preparation of plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or design of the Tolles-Parsons Center (senior center) to be located at the Town owned site at 496 Washington Street (the former American Legion site) and for vehicular parking to be located on site or on other Town controlled land or otherwise; that to meet said appropriation, the sum of \$308,855 shall be transferred from Free Cash; and that the Permanent Building Committee is authorized to take all action necessary to carry out this project.

Katherine L. Babson Jr. offered a motion to dissolve Special Town Meeting #2 (8:00 pm).

The Special Town Meeting #2 (8:00pm) dissolved at 10:34 PM.

The Moderator then reopened Special Town Meeting #1 (7:30 pm). The meeting came to order. The Moderator polled the members as to whether they wished to continue or to adjourn.

Katherine L Babson Jr. offered the following motion to adjourn which was

VOTED, unanimously, that when this Special Town Meeting #1 (7:30pm) adjourns, it does until Monday, December 16, 2013 at 7:30 pm in the same hall.

The meeting (STM#1) adjourned at 10:35 pm.

Attest:

Kathleen F Nagle
Town Clerk

CERTIFICATE OF NOTICE
OF ADJOURNED SPECIAL TOWN MEETING



December 11, 2013
Wellesley, MA

I hereby certify that notice that the Town Meeting would adjourn from December 10, 2013 to December 16, 2013 at 7:30 pm, was posted on the screen in the Hall and was voted unanimously by the Town Meeting. That said adjournment was announced by the Moderator at the close of the meeting of December 10, 2013 and a notice was posted on the town website (www.wellesleyma.gov) and in the Town Hall at the office of the Town Clerk on December 11, 2013.

AND FURTHER, said notices of adjournment were emailed to all Town Meeting Members who have provided email addresses to the town clerk (236).

Attest:

Kathleen F. Nagle
Town Clerk

TOWN CLERK'S RECORD

Special Town Meeting #1 December 9, 2013 8:00 pm

December 16, 2013

December 17, 2013

The third session of the December 9, 2013 Special Town Meeting #1 (7:30 pm), adjourned from December 10, 2013 was held this evening at the Wellesley High School Babson Auditorium, 50 Rice Street. The Moderator, Margaret Ann Metzger, called the meeting to order at 7:35 P.M. The Moderator declared a quorum present.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 153 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the auditorium, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Tellers, Roberta Francis assisted by Judi Donnelly, Arthur Priver, Nancy Galligan, Bob White, Katie Gibson and Stanley Brooks.

The Moderator noted the recent achievement of the 5th Grade Junior Raiders Youth Football team, winning the American Youth Football National Championship in Kissimmee, Florida.

ARTICLE 7. To see what sums of money the Town will raise and appropriate, or otherwise provide, to develop further and implement the following school facilities projects; including as appropriate the cost of engineering design services including preparation of bid documents, for construction, reconstruction, remodeling, rehabilitation and/or modernization of the same:

1. To the Permanent Building Committee for design, specifications, and planning for renovations to the Fiske and Schofield Elementary Schools;

2. To the School Committee and Board of Selectmen for conceptual planning work associated with the potential renovation, reconstruction, addition, consolidation or replacement of the Hardy, Hunnewell and Upham Elementary Schools; and
3. To the School Committee and Board of Selectmen for the study of the heating, ventilation, and air conditioning (HVAC) and other systems of the Wellesley Middle School, and other renovations;

to determine whether such sums shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Barbara Searle, Precinct A, Board of Selectmen, introduced the presentations on the group of motions under this article. KC Kato, Precinct D, School Committee explained the scope of the projects requested. Matt King, Chair of the Permanent Building Committee, detailed the cost elements for the requested appropriations. Hans Larsen, Executive Director of General Government, explained the financial effects of the intended projects and construction funding in a ten year plan to 2022.

MOTION 1. Barbara Searle, Precinct A, Board of Selectmen offered the following motion, which was

VOTED, by declared voice vote, 2/3 required, That the sum of \$2,432,000 be appropriated to the Permanent Building Committee for architectural, engineering and/or other services for preparation of plans and specifications for the construction, reconstruction, remodeling, rehabilitation, modernization and/or additions to the Fiske and Schofield Elementary Schools, to accommodate the classroom, administrative and other educational needs of the Town; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,432,000 under Chapter 44 of the General Laws, or any other enabling authority; and that the Permanent Building Committee is authorized to take all action necessary to carry out this project.

MOTION 2. KC Kato, Precinct D, School Committee, offered the following motion which was

VOTED, by declared voice vote, that the sum of \$90,000 be appropriated to the School Committee and Board of Selectmen for architectural, engineering and/or other services required to further study possible reconstruction, remodeling, rehabilitation, modernization, replacement and/or additions to the Hardy, Hunnewell, and Upham Elementary Schools, to accommodate the classroom, administrative and other educational needs of the Town; that to meet said appropriation, the sum of \$90,000 shall be transferred from Free Cash.

MOTION 3. KC Kato, Precinct D, School Committee, offered the following motion which was

VOTED, by declared voice vote, That the sum of \$75,000 be appropriated to the School Committee and Board of Selectmen for cost of engineering investigation, analysis, study and cost estimating services for possible construction, reconstruction, remodeling, rehabilitation and/or modernization of the mechanical systems (HVAC and plumbing) and other key building elements and systems of the Middle School; that to meet said appropriation, the sum of \$75,000 shall be transferred from Free Cash.

There being no further business before this Special Town Meeting, the moderator acknowledged and thanked the Advisory Committee, town staff and Town Boards who worked tirelessly to accomplish the preparation for these Special Town Meetings.

Katherine L Babson, Jr. Precinct E, Board of Selectmen offered a motion to dissolve this Special Town Meeting #1 (7:30pm).

It was voted unanimously and the meeting dissolved at 9:10 pm.

Attest:

Kathleen F Nagle
Town Clerk